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13 MARK LEE TAYLOR AND PAMELA TAYLOR

FILED

FEB 18 2011

RICHARD W. WIEKING  
CLERK, U.S. DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
OAKLAND

10 UNITED STATES DISTRICT COURT  
11 NORTHERN DISTRICT OF CALIFORNIA

12  
13 MARK LEE TAYLOR and PAMELA TAYLOR, CASE NO. 4:10-cv-01920 SBA

14 Plaintiffs,

15 v.

16 JEPPESEN DATAPLAN, INC., JEPPESEN  
17 SANDERSON, INC. and DOES 1-100,

18 Defendants.

STIPULATION AND ~~PROPOSED~~  
ORDER CONSOLIDATING CASES FOR  
ALL PURPOSES

19  
20 MARK LEE TAYLOR and PAMELA TAYLOR,

21 Plaintiffs,

22 v.

23 HONEYWELL INTERNATIONAL, INC. and  
24 DOES 1-100,

25 Defendants.

CASE NO. 10-CV-04659-SBA

26 Plaintiffs Mark Lee Taylor and Pamela Taylor (collectively, "Plaintiffs"), and defendants  
27 Jeppesen Sanderson, Inc. and Honeywell International, Inc. (collectively, "Defendants") by and  
28

1 through their respective counsel enter this stipulation.

2 WHEREAS, *Mark Lee Taylor and Pamela Taylor v. Jeppesen DataPlan, Inc., et al.*, 10-CV-01920  
3 SBA is an action seeking damages for injuries to the Taylors arising out of an incident on January 15,  
4 2008.

5 WHEREAS, *Mark Lee Taylor and Pamela Taylor v. Honeywell International, Inc., et al.*, 10-CV-  
6 04659-SBA is an action seeking damages for injuries to the Taylors arising out of the same January  
7 15, 2008 incident at issue in the *Jeppesen* case.

8 WHEREAS, *Mark Lee Taylor and Pamela Taylor v. Jeppesen DataPlan, Inc., et al.*, 10-CV-01920  
9 SBA is an action seeking damages for injuries to the Taylors arising out of the same January 15, 2008  
10 incident that is at issue in the *Honeywell* case.

11 WHEREAS, both cases involve common questions of law and fact as they arise out of the  
12 same incident. The parties believe that consolidation of the two cases will avoid inconsistent results  
13 and unnecessary cost, delay, confusion, duplication of evidence, and waste of judicial resources.

14

15 IT IS STIPULATED by the parties that:

16 1. Pursuant to Federal Rule of Civil Procedure 42(a), *Mark Lee Taylor and Pamela Taylor v. Jeppesen*  
17 *DataPlan, Inc., et al.* and *Mark Lee Taylor and Pamela Taylor v. Honeywell International, Inc., et al.*, 10-CV-  
18 04659-SBA shall be consolidated for all purposes into one action.

19 2. *Mark Lee Taylor and Pamela Taylor v. Honeywell International, Inc., et al.*, 10-CV-04659-SBA shall  
20 be considered the lead case. Although the *Honeywell* case is the higher numbered case, and the parties  
21 are aware that it is the court's policy to use the lower numbered case as the lead case for purposes of  
22 administration and reference, the parties believe it would be preferable to refer to the *Honeywell*  
23 action as the lead case. All future filings shall be in 10-CV-04659-SBA.

24 3. Plaintiffs shall file a consolidated complaint within 30 days of entry of an order approving  
25 this stipulation. Defendants shall file a responsive pleading within 30 days of the filing of plaintiffs'  
26 consolidated complaint.

27

28

1 Dated: February 11, 2011

THE VEEN FIRM, P.C.

2 By: /s/ Kevin Lancaster

3 Kevin Lancaster

4

5 Attorneys for Plaintiffs

6 MARK AND PAMELA TAYLOR

7 Dated: February 11, 2011

MORRISON & FOERSTER LLP

8 By: /s/ William D. Janicki

9 William D. Janicki

10 Attorneys for Defendant

11 HONEYWELL INTERNATIONAL INC.

12 Dated: February 11, 2011

13 PERKINS COIE, LLP

14 By: /s/ Richard Coyle

15 Richard Coyle  
*Pro hac vice*

16 Attorneys for Defendant

17 JEPPESEN SANDERSON, INC.

18 ATTESTATION OF E-FILED SIGNATURES

19 I, Kevin Lancaster, am the ECF User whose Id and password are being used to file this Joint  
20 Case Management Statement and Proposed Order. In compliance with General Order 45, X, B., I  
21 hereby attest that William D. Janicki and Richard Coyle have concurred in this filing.

22 DATED: February 11, 2011

23 THE VEEN FIRM, P.C.

24 /s/ Kevin Lancaster

25 Kevin Lancaster  
26 Attorneys for Plaintiffs  
27 MARK LEE TAYLOR and PAMELA  
28 TAYLOR

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**(PROPOSED) ORDER**

Having considered the above stipulation and good cause appearing, IT IS SO ORDERED.

Dated: 2/17/11

By:

*Saundra B Armstrong*

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The Honorable Saundra B. Armstrong  
U.S. District Court, Northern District of  
California